

Prisoner shall not be replevisable. (8) And let the Sheriff or Keeper of such Gaol take heed, if it be within a Franchise, or without, that he do not suffer him to go out of Prison by the common Writ called *Replegiare*, or by other means, without Assent of his Master; (9) and if he do, and thereof be convict, he shall be answerable to his Master of the Damages done to him by such his Servant, according as it may be found by the Country, and shall have his Recovery by Writ of Debt. (10) And if the Keeper of the Gaol have not wherewith he may be justified, or not able to pay, his Superiour that committed the Custody of the Gaol unto him, shall be answerable by the same Writ.

modi incarcerationis irreplegiabiles. Et caveat sibi vicecomes vel custos ejusdem gaole sive sit in libertate sive non quod per commune breve quod dicitur *Replegiar'* vel alio modo sine assensu domini ipsum a prisona exire non permittat quod si fecerit & super hoc convincatur respondeat domino de dampno per hujusmodi servientem sibi illato secundum quod per patriam verificare poterit & habeat suum recuperare per breve de Debito. Et si custos gaole non habeat per quod justicietur vel unde solvat respondeat superior suus qui custodiam hujusmodi gaole sibi commisit per idem breve.

In what Cases Auditors may commit Accomptants to Prison. Co. Litt. 295 a. 2 Inst. 378. Fitz. Accompt. 96, 109. Fitz. Avowry, 220. Regist. 137. Rast. 14, &c. The Accomptant's Relief. Fitz. Accompt. 23, 26, 47, 74, 106. 52 H. 3, c. 23. 29 Ed. 3, f. 5. An Exigent against an Accomptant. 17 Ed. 3, f. 59. Escape *of an Accomptant. 1 R. 2, c. 12. 7 H. 4, c. 4. **117** 2 Leon. 9. Fitz. Det. 172. Fitz. Issu. 160. Bro. Dett. 103. 2 Bulstr. 321.

Since imprisonment for debt has been abolished, it does not seem necessary to notice this Statute further.

CAP. XIV.

The Process in an Action of Waste. A Writ to enquire of Waste.

Whereas for Waste done in Cum de vasto facto in he-
the Inheritance of any Person, redate alicujus per custodes
by Gardians, Tenants in tenentes in dotem per legem